

**Plum Creek North Fork Amendment  
To Right-of-Way Agreement S-347**

**Environmental Assessment,  
Finding of No Significant Impact, and  
Decision Record**

Environmental Assessment Number OR080-07-10

June 6, 2007

United States Department of the Interior  
Bureau of Land Management  
Oregon State Office  
Salem District  
Marys Peak Resource Area

Township 13 South, Range 8 West, Section 5, Willamette Meridian  
Lower Alsea River Watershed  
Lincoln County, Oregon

Responsible Agency: USDI - Bureau of Land Management

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As the Nation’s principal conservation agency, the Department of Interior has responsibility for most of our nationally owned public lands and natural resources. This includes fostering economic use of our land and water resources, protecting our fish and wildlife, preserving the environmental and cultural values of our national parks and historical places, and providing for the enjoyment of life through outdoor recreation. The Department assesses our energy and mineral resources and works to assure that their development is in the best interest of all people. The Department also has a major responsibility for American Indian reservation communities and for people who live in Island Territories under U.S. administration.

## Environmental Assessment, Finding Of No Significant Impact, And Decision Record<sup>1</sup>

**Type of Project:** Right of Way (ROW) Amendment of existing Reciprocal ROW Agreement S-347

**Location of Proposed Action:** Township 12 South, Range 8 West, Sections 28, 29 and 32, Township 13 South, Range 8 West, Sections 5, 7, 8 and 9, Willamette Meridian located approximately 8 miles northwest of the town of Alsea, Oregon.

**Conformance with Applicable Land Use Plan:** The proposed action is in conformance with the *Salem District Record of Decision and Resource & Management Plan (RMP)*, dated May 1995 (pp.57: topic: amending existing reciprocal right-of-way agreements; *Lower Alsea River Watershed Analysis*, dated December, 1999; *Record of Decision for Amendments to Forest Service and Bureau of Land Management Planning Documents Within the Range of the Northern Spotted Owl and Standard and Guidelines for Management of Habitat for Late-Successional and Old-Growth Forest Related Species Within the Range of the Northern Spotted Owl*, dated April, 1994; *Record of Decision and Standards and Guidelines for Amendments to the Survey and Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines*, January, 2001.

The analysis in this Environmental Assessment (EA) is site-specific and supplements analyses found in the *Salem District Proposed Resource Management Plan/Final Environmental Impact Statement*, September 1994 (RMP/FEIS). The RMP/FEIS includes the analysis from the *Final Supplemental Environmental Impact Statement on Management of Habitat for Late-Successional and Old-Growth Forest Related Species within the Range of the Northern Spotted Owl*, February 1994 (NWFP/FSEIS).

The RMP/FEIS is amended by the *Final Supplemental Environmental Impact Statement for Survey and Manage, Protection Buffers, and Other Mitigation Measures in the Northwest Forest Plan* (SM/FSEIS, November 2000).

The above documents are incorporated by reference and are available at the Salem District Office.

The proposed action is located within the coastal zone as defined by the Oregon Coastal Management Program. This proposal is consistent with the objectives of the program, and the State planning goals which form the foundation for compliance with the requirements of the Coastal Zone Act.

Management actions/directions found in the RMP were determined to be consistent with the Oregon Coastal Management Program.

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<sup>1</sup> Pursuant to BLM Handbook 1790-1, Rel. 1-1547, 10/25/88, page IV-11, it is appropriate to use this format when all the following conditions are met: 1/ Only a few elements of the human environment are affected by the proposed action; 2/ Only a few simple and straightforward mitigation measures, if any, are needed to avoid or reduce impacts; 3/ There are no program-specific documentation requirements associated with the action under consideration; 4/ The proposed action does not involve unresolved conflicts concerning alternative uses of available resources and, therefore, alternatives do not need to be considered; 5/ The environmental assessment is not likely to generate wide public interest and is not being distributed for public review and comment; and 6/ The proposed action is located in an area covered by an existing land use plan and conforms with that plan.

**Purpose of and Need for Action:** The purpose for the proposed action is to provide access for Plum Creek Timberlands, L.P. for their management purposes. There is a need to authorize use of BLM administered roads, and permission to construct an estimated 200 foot ridge top road across BLM lands.

Previous harvest activities on Plum Creek lands were accomplished by downhill yarding across a perennial stream. The purpose of this ROW Amendment will permit yarding upslope, avoiding impacts to aquatic resources.

**Description of the Proposed Action:**

Currently the NE¼ of Section 5, Township 13 South, Range 8 West., is included in ROW Agreement S-347. The remainder of Section 5 needs to be added to restore access between the North Fork Access Road #12-8-19 and Fall Creek County Road (see Project Map). Plum Creek Timberlands lost their access when a portion (Segment H) of BLM controlled Road #13-9-23.1 was decommissioned. Due to an error of omission, a bypass route around the decommissioning was overlooked. This proposed action will remedy that oversight. The Proposed Action will also result in Plum Creek constructing an approximate 200 feet distance ridge top road within a 20 year old stand, and use of existing BLM controlled road across BLM lands in Section 5, Township 13 South, Range 8 West (Rd. #13-8-5 portion Segment B and 13-8-5.6). The remainder of existing BLM controlled roads (Rd. 13-8-5 portion Segments B and C-H, 13-8-5.3, 13-8-8.3 segments B1 and B2, and 13-8-8 Segments A-C) in Township 13 South, Range 8 West, Sections 5, 7, 8 and 9 will replace access lost when BLM controlled Road #13-9-23.1, Segment H was decommissioned.

In order for Plum Cr. to gain access to their land in the SE¼ of Section 32, Township 12 South, Range 8 West; the SE¼ of Section 29, Township 12 South, Range 8 West will be added to RWA S-347. For Plum Cr. to gain access to Sugarloaf Road, the proposed action will also allow for the use of existing BLM controlled Road #12-8-29 segments A and B, Road #12-8-32.3 segment A and a portion of segment B, and a portion of segment E and all of Segment F of Road #12-8-19.

*Design Features:*

New Road Construction

All activities will comply with the Best Management Practices (RMP pp.C-1 - C-7).

A minimum 8” lift of crushed rock will be placed on the entire segment of new road construction.

Maintain adequate rock on road surface to prevent subsurface materials from working their way to the surface during use.

Light accumulations of debris cleared during road construction would be scattered along the length of right-of-way. Large accumulations of debris would be piled for burning. All piles would be located on Plum Creek Timberlands property

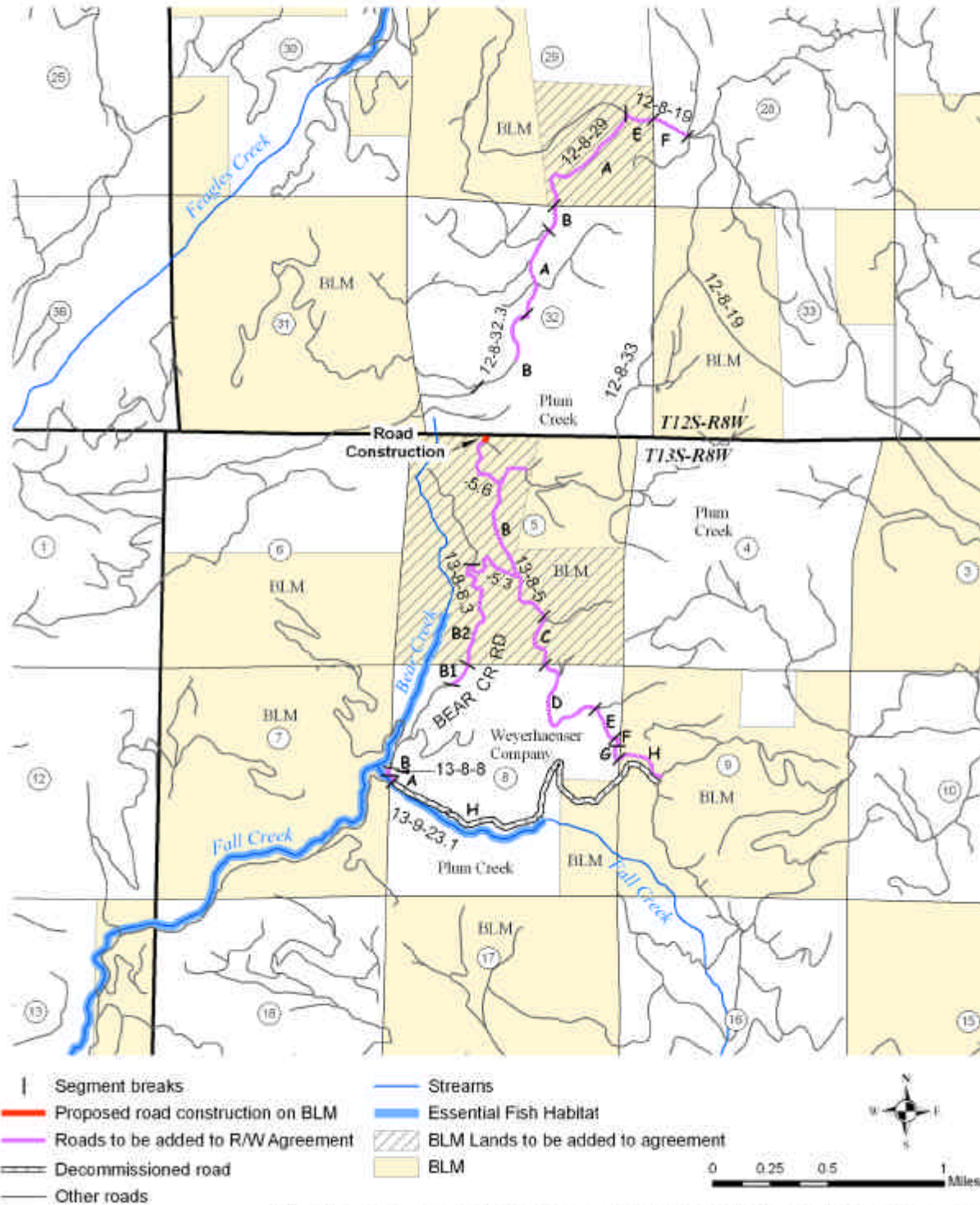
Grass seed all exposed soil due to construction or improvement by September 15 the same year as construction. All locations where mineral soil is exposed (roads to be constructed) will be sown with Oregon Certified (blue tagged) red fescue (*Festuca rubra*), and/or sown with a wildlife vegetation mix and applied at a rate equal to 40 pounds per acre or sown/planted with other native species as approved by the resource area botanist.



## EA Map

June 5, 2007

United States Department of the Interior  
BUREAU OF LAND MANAGEMENT  
PLUM CREEK NORTH FORK AMENDMENT TO AGREEMENT S-347 EA MAP  
Salem District - Oregon



No warranty is made by the Bureau of Land Management as to the accuracy, reliability or completeness of these data for individual use or aggregate use with other data. Original data was compiled from multiple source data and may not meet U.S. National Mapping Accuracy Standard of the Office of

## **Consultation and Public Involvement:**

### *ESA consultation:*

- **Wildlife:** The proposed action, a new right-of-way authorization, includes language preserving the Bureau's authority to initiate Section 7 Consultation under the ESA on future permittee uses or the rights granted, and to condition, restrict, or deny such uses in order to promote the conservation of federally listed species. Therefore, this action is covered under the following biological opinion for programmatic consultation regarding right-of-way authorizations; *Biological Opinion for Effects to Bald Eagles, Northern Spotted Owls and Marbled Murrelets from the Bureau of Land Management, Eugene and Salem Districts, for the FY 2004-2008 Right-of-Way Authorizations* (USFWS Reference Number 1-7-04-F-0253, June 18, 2004).
- **Fish:** Recently, the National Oceanic and Atmospheric Administration (NOAA) National Marine Fisheries Service (NMFS) determined that the Oregon Coast coho Evolutionarily Significant Unit (*Oncorhynchus kisutch*) did not warrant listing as threatened or endangered under the Endangered Species Act (ESA), as amended. No consultation is required under Section 7 of the ESA at this time, as no listed fish species are known to occur in the action area associated with this proposed project. Should any listing of fish species occur prior to implementation of any actions associated with this EA then further review would be necessary consistent with Section 7.

The Salem District is aware of ongoing litigation filed by Trout Unlimited et al. v. Lohn on June 27, 2006 related to the decision by the NMFS not to list Oregon Coast coho salmon under the ESA. The BLM is not aware of any other information concerning this lawsuit at this time.

- **Protection of Essential Fish Habitat (EFH),** as described by the Magnuson/Stevens Fisheries Conservation and Management Act, and consultation with NOAA NMFS is required for all projects which may adversely affect EFH of Chinook or coho salmon in the action area. The proposed action, with the incorporation of project design features, is not expected to adversely affect EFH. Thus, no consultation with NOAA NMFS on EFH is required for this project. Actions and effects beyond the scope of the analysis provided would require additional review and potentially result in the need to consult with NOAA NMFS

*Public Involvement:* In compliance with the National Environmental Policy Act, a scoping letter dated May 10, 2007, was sent to 12 potentially affected and/or interested individuals, groups, and agencies. No comment letter(s) were received in response to this scoping.

## **Review of the Elements of the Environment:**

The interdisciplinary team reviewed the elements of the environment, required by law, regulation, Executive Order and policy, to determine if they will be affected by the proposed action. *Table 1* (Critical Elements of the Environment from BLM H-1790-1, Appendix 5) and *Table 2* (Other Elements of the Environment) and *Table 3* (Aquatic Conservation Strategy Summary) summarize the results of that review. Affected elements are **bold**. Unless otherwise noted, the effects apply to the proposed action; and the No Action Alternative is not expected to have adverse effects to these elements.

## Environmental Effects:

Tables 1 and 2 describe the effects of the proposed action on the elements of the environment. Unless otherwise noted, the No Action Alternative is not expected to have adverse effects to these elements.

<i>Table 1: Environmental Review for the Critical Elements of the Environment (BLM H-1790-1, Appendix 5)</i>				
<i>Critical Elements Of The Environment</i>		<i>Status: (i.e., Not Present, Not Affected, or Affected)</i>	<i>Does this project contribute to cumulative effects? Yes/No</i>	<i>Remarks / Environmental Effects</i>
Air Quality (Clean Air Act)		Not Affected	No	Any slash generated from the 200' of road construction on BLM, will be scattered rather than burned.
Areas of Critical Environmental Concern		Not Present	No	
Cultural, Historic, Paleontological		Not Affected	No	No pre-project survey is required as outlined in the <i>Protocol for Managing Cultural Resources on Land Administered by the Bureau of Land Management in Oregon; Appendix D - "Coast Range Inventory Plan (August 1998)</i>
Energy (Executive Order 13212)		Not Affected	No	There are no known energy resources located in the project area. The proposed <i>action</i> will have no effect on energy development, production, supply and/or distribution.
Environmental Justice (Executive Order 12898)		Not Affected	No	The proposed action is not anticipated to have disproportionately high and adverse human health or environmental effects on minority populations and low-income populations.
Prime or Unique Farm Lands		Not Present	No	
Flood Plains (Executive Order 11988)		Not Affected	No	The project is small in scale and will not change the character of the river floodplain, change floodplain elevations, or affect overbank flooding.
Hazardous or Solid Wastes		Not Present	No	
<b>Invasive, Nonnative Species (Executive Order 13112)</b>		<b>Affected</b>	<b>No</b>	<b>Any exposed mineral soil will create habitat for non-native species. Sowing the exposed mineral soil with grass seed will reduce the likelihood of any infestation(s) of Oregon Listed noxious weeds.</b>
Native American Religious Concerns		Not Affected	No	Past projects of this type within this area have not resulted in tribal identification of concerns.
<b>Threatened or Endangered (T/E) Species or Habitat</b>	Fish	Not Present	No	
	Plants	Not Present		
	<b>Wildlife (including designated Critical Habitat)</b>	<b>Affected</b>	<b>No</b>	<b>The new construction proposed by Plum Creek is located approximately 300 feet from suitable murrelet nesting habitat. This is the only road that realistically can be constructed by Plum Creek across BLM lands resulting from the addition of lands being added to the reciprocal agreement by this action.</b>  <b>Due to proximity to suitable murrelet nesting habitat, appropriate restrictions will be imposed if construction activities occur during breeding/nesting season (April 1 through September 15).</b>



<i>Table 1: Environmental Review for the Critical Elements of the Environment (BLM H-1790-1, Appendix 5)</i>			
<i>Critical Elements Of The Environment</i>	<i>Status: (i.e., Not Present , Not Affected, or Affected)</i>	<i>Does this project contribute to cumulative effects? Yes/No</i>	<i>Remarks / Environmental Effects</i>
<b>Water Quality (Surface and Ground)</b>	<b>Affected</b>	<b>No</b>	<b>The new construction will have no effect on any area streams due to the ridge top location. The majority of the existing roads are located on fills with minimal connection to streams. Thus the proposed action will result in no measurable effects to stream flow, channel conditions, and water quality. This action is unlikely to alter the current condition of the aquatic system either by affecting its physical integrity or in-stream flows.</b>
Wetlands (Executive Order 11990)	Not Affected	No	No measurable effects to wetlands are expected because all proposed activities will occur outside of known wetlands.
Wild and Scenic Rivers	Not Present	No	
Wilderness	Not Present	No	

<i>Table 2: Environmental Review for the Other Elements of the Environment (Required by law, regulation, policy or management direction)</i>			
<i>Other Elements Of The Environment</i>	<i>Status: (i.e., Not Present , Not Affected, or Affected)</i>	<i>Does this project contribute to cumulative effects? Yes/No</i>	<i>Remarks / Environmental Effects</i>
Coastal Zone (Oregon Coastal Management Program)	Not Affected	No	The proposed action is located within the coastal zone as defined by the Oregon Coastal Management Program. This proposal is consistent with the objectives of the program, and the State planning goals which form the foundation for compliance with the requirements of the Coastal Zone Act. Management actions/directions found in the RMP were determined to be consistent with the Oregon Coastal Management Program.
<b>Essential Fish Habitat (Magnuson-Stevens Fisheries Cons. /Mgt. Act)</b>	<b>Affected</b>	<b>No</b>	<b>The proposed new construction will not result in any measurable effect upon fish habitat in the Bear Creek, tributary to Fall Creek. The use of existing Bear Creek Road #13-8-8.3 for hauling could result in increased turbidity from log or rock haul reaching intermittent tributaries in section 5; however, the site specific impacts will be undetectable more than 900 feet downstream in Bear Creek EFH. Utilization of the Bear Creek Rd will result in less impact than their use of the relatively unstable 13-9-23.1 segment H road which they had rights over, and which the BLM recently decommissioned. Hauling on Rd. #13-8-8 Seg. A may result in increase sediment reaching Fall Creek. Ceasing hauling when conditions indicate elevated turbidity risk will limit affects to EFH.</b>

*Table 2: Environmental Review for the Other Elements of the Environment (Required by law, regulation, policy or management direction)*

<i>Other Elements Of The Environment</i>	<i>Status: (i.e., Not Present , Not Affected, or Affected)</i>	<i>Does this project contribute to cumulative effects? Yes/No</i>	<i>Remarks / Environmental Effects</i>
<b>Fire Hazard/Risk</b>	<b>Affected</b>	<b>No</b>	<b>Clearing and scattering of the right-of-way will create slash that could increase the intensity of a fire, should it get started in the adjacent young BLM plantation.</b>
Forest Productivity	Not Affected	No	Less than 0.15 acre of land will be lost to forest production as a result of the proposed road construction.
Land Uses (right-of-ways, permits, etc)	Not Affected	No	
Late successional / old growth	Not Affected	No	The activities associated with the proposed action will not result in the cutting of any mature BLM timber. The proposed road construction located on BLM land will occur within a young reforested unit.
Mineral Resources	Not Present	No	
Recreation	Not Affected	No	There are no established recreational sites or uses that will be impacted as a result of the proposed action. Dispersed recreational area.
Rural Interface Areas	Not Present	No	
<b>Soils</b>	<b>Affected</b>	<b>No</b>	<p><b>Under the proposed action, construction of the approximate 200-foot road will occur on the ridge top. Disturbance will be confined to a narrow strip of land. Soil disturbance, removal of top soil and compaction of the running surface should be confined to a strip approximately 14 feet in width. The road construction could result in severe compaction of approximately 0.1 acres which will remain compacted for the life of the road. Clearing of vegetation may be as wide as 30 feet. Implementation of Best Management Practices will help to minimize impacts to adjacent soils.</b></p> <p><b>Because of the location of BLM lands in relationship to Plum Creek lands, there doesn't appear to be any additional road locations that Plum Creek will request across BLM in the future.</b></p>
Special Areas outside ACECs (Within or Adjacent) (RMP pp. 33-35)	Not Present	No	

*Table 2: Environmental Review for the Other Elements of the Environment (Required by law, regulation, policy or management direction)*

Other Elements Of The Environment		Status: (i.e., Not Present , Not Affected, or Affected)	Does this project contribute to cumulative effects? Yes/No	Remarks / Environmental Effects
other Special Status Species/Habitat	Fish	Affected	Yes	OC Coho salmon and OC steelhead are considered Bureau Sensitive species per Oregon Natural Heritage Program status and BLM Manual 6840 guidance. Pacific lamprey and Coastal Cutthroat are Bureau Tracking species. The proposed new construction will not result in any measurable effect upon fish habitat in Bear Creek, tributary to Fall Creek. The use of existing Bear Creek Road #13-8-8.3 for hauling could result in increased turbidity from log or rock haul reaching intermittent tributaries in section 5; however, the site specific impacts will be undetectable more than 900 feet downstream in Bear Creek where coho and steelhead reside. Utilization of the Bear Creek Rd will result in less impacts than their use of the relatively unstable 13-9-23.1 segment H road which they had rights over, and which the BLM decommissioned. Additional hauling on the existing roads, Bear Creek Road #13-8-8.3, #12-8-33, and N Fk Access Road #12-8-19 could result in increased turbidity reaching nearby fish bearing streams, effects will occur principally within the Upper North Fork Alsea Watershed primarily affecting cutthroat trout habitat. Short term site level impacts to aquatic habitat may occur. Some individual fish may move away from elevated turbidity; however, considering the resilience of cutthroat they will be expected to quickly recolonize accessible habitat following cessation of disturbance.
	Plants	Not Affected	No	There are no known sites of any bureau special status species, nor is there any likely habitat within the proposed project area.
	Wildlife	Not Affected	No	No special status wildlife will be affected.
Visual Resources		Not Affected	No	Project is located in VRM IV class and complies with management objectives.

*Table 2: Environmental Review for the Other Elements of the Environment (Required by law, regulation, policy or management direction)*

<i>Other Elements Of The Environment</i>	<i>Status: (i.e., Not Present , Not Affected, or Affected)</i>	<i>Does this project contribute to cumulative effects? Yes/No</i>	<i>Remarks / Environmental Effects</i>
Water Resources (except Water Quality)	Not Affected	No	<p>The proposed action will not affect basin hydrology including stream flow or channel function because the 200' of construction is located upon the ridge top, and any other related activities will occur on existing roads. Therefore, no surface or ground water sources will be intercepted as a result of this action.</p> <p>Existing beneficial uses of Bear Creek, which is adjacent to a portion of an existing road to be added include: anadromous and resident fish. There are no domestic or commercial water rights which will be impacted by this action. The nearest known surface water user is the Fall Creek Fish Hatchery, located over 6 stream miles downstream.</p>
other Wildlife Structural or Habitat Components (Snags /CWD / Special Habitats, road densities)	Not Affected	No	<p>The proposed action will not affect the structural or habitat components of the area because the proposed road construction is located within a young reforested unit. The road density will be increased, however minimal, and will be limited to infrequent, short term uses.</p>

## **Affected Environment and Environmental Effects**

**General:** The proposed project will occur within Upper Alsea River and Lower Alsea River 5<sup>th</sup> field watersheds. Land Use Allocations for the BLM lands involved within the proposed action are Late-Successional Reserve (LSR) and Riparian Reserve (RR). The project area is shown on the EA map and includes the following BLM roads: in Township 13 South, Range 8 West, section 5.

### ***Threatened/Endangered (T/E) Wildlife:***

#### **Affected Environment**

Bureau of Land Management lands which may be impacted by new road construction as an indirect (a future request by the permittee) result of this action occurs in Township 13 South, Range 8 West, Section 5. All the BLM land in Section 5 lies within Late Successional Reserve land use allocation and has also been designated as Critical Habitat for northern spotted owls (CHU OR-47) and marbled murrelets (CHU OR-4-k). The affected BLM lands do contain scattered stands of late-seral habitat (80-199 years old) that may provide suitable habitat for spotted owls and marbled murrelets. There is no known bald eagle, northern spotted owl, or marbled murrelet sites within the agreement area.

#### **Environmental Effects**

The hauling of timber on BLM roads in the agreement area would have no effect on listed wildlife species. The likely construction of a 200 foot spur road in Section 5 lies just within 300 feet of unsurveyed suitable habitat that may be used by spotted owls and marbled murrelets. If road

construction activities are implemented during April-1 to September-15 (murrelet breeding season) and include a two-hour daily timing restriction, then this action may affect, but would not likely adversely affect marbled murrelets. If this action is implemented outside of the murrelet breeding season, it would have no effect on listed wildlife species. Potential noise disturbance effects to listed species have been addressed in a programmatic Biological Assessment (BA) covering FY2004-2008 Road Right-of-Way Authorizations, and this action has been designed to comply with the design standards set forth in that BA and endorsed by the Biological Opinion (# 1-7-2004-F-253).

The cumulative impact to listed species of this action within the watershed is insignificant due to the very small amount of early to mid-seral habitat (0.07 acres) that may be converted to road sometime in the future.

### ***Soil Resources:***

#### **Affected Environment**

The project areas are primarily underlain by Preacher Bohannon- Slick Rock soil type that consists of deep well drained loam soils that were formed from sedimentary rock.

#### **Environmental Effects**

The road construction will result in compaction of approximately 0.06 acres. The total clearing of vegetation for road construction could be approximately 25 feet (for a total impacted area of approximately 0.1 acres). Design features should be carefully enforced to minimize soil erosion from the new construction

Because the roads to be added for use have already been constructed and are in use, the underlying soils have already been compacted and disturbed. Therefore, no further impacts to soil resources are anticipated by the proposed right of way (ROW) agreements along existing roads.

### ***Water Resources:***

#### **Affected Environment**

The project areas are drained by the North Fork Alsea and Fall Creek (Alsea River). None of the road segments addressed in this proposal lie within a municipal watershed. Several of the road segments occur adjacent to or in close proximity to streams and include live stream crossings.

#### **Environmental Effects**

Where the proposed ROW will occur along existing roads which are currently in use, there will be no additional measurable impacts to hydrologic resources. Road traffic levels are not anticipated to increase substantially and road maintenance is expected to continue along these routes.

Because of the new road construction's relatively far distance to streams (approx. 1000 feet), channel drainage and fine sediments will not likely impact these tributaries. Outsloping the road will help dissipate runoff and filter sediment through forest duff before reaching streams.

## ***Invasive / Noxious Weeds:***

### **Affected Environment**

All noxious weeds known from within the vicinity of the project area are designated Priority III (established infestations) on the Oregon Department of Agriculture (ODA) noxious weed list. These species are known throughout Western Oregon and tend to occupy areas with newly exposed mineral soil.

### **Environmental Effects**

Because these species are so widespread some degree of invasive/noxious weed/non-native species introduction or spread is expected within the project area. The risk rating for any adverse effects due to non-native weed infestations is low because in time, non-native species are expected to return to low levels as native vegetation becomes re-established. Marys Peak Resource Area has an integrated weed management program and monitors any new road construction for the early detection and removal of newly established noxious listed weeds.

## ***Fisheries:***

### **Affected Environment**

Essential Fish Habitat (EFH) occupied by Chinook and coho salmon is adjacent to portions of the proposed ROW. Fish Special Status Species (SSS) within these watersheds or potentially within these watersheds include Oregon coast coho salmon (Bureau Sensitive), Oregon coast winter steelhead (Bureau Sensitive), coastal cutthroat trout (Bureau Tracking), and Pacific lamprey (Bureau Tracking).

The proposed road construction will be located off of a ridge top road to access a small forested track on private property down slope. The road location on BLM lands will not cross any existing stream drainages (none where apparent on aerial photography). The majority of road will be located in a younger timber stand. No evidence of slope instability was apparent based on aerial photo review of the surrounding hillslopes.

### **Environmental Effects**

Proposed actions analyzed as part of this ROW agreement include the construction of approximately 200 feet of new ridge top road in Township 13 South, Range 8 West, Section 5 plus minor use and maintenance of all roads for administrative access. Commercial timber hauling on portions of BLM controlled Rd's #12-8-19, #12-8-33, #13-8-8.3, #13-8-5.3, 13-8-8 and #13-8-5 were also analyzed for effects to fishery resources. Actions occurring on private property, not associated with federal actions or occurring on federal lands, were not analyzed consistent with BLM Instruction Memorandum (IM-2003-142).

Any sediment generated as a result of the 200 feet of new road construction on ridge top will be highly unlikely to reach any stream channels, thus no effects will be anticipated to fish downstream. Construction of new road outside of the riparian buffers and consistent with RMP BMPs for new road construction will be unlikely to generate sediment that will reach any fish habitat downstream. Anadromous salmonids will not be affected by the proposed road construction as they cannot reach the project area due to waterfalls located approximately 6.5 miles downstream on the mainstem of the

North Fork Alsea River and nearly 1 mile downstream in Bear Creek.

No hydrologic impacts were anticipated from the general use and maintenance of the road segments associated with this ROW. As no hydrologic impacts were anticipated, no effects to fisheries resources will be anticipated from the general use and maintenance of the road associated with the ROW.

Commercial rock and timber hauling on road #'s 12-8-19, 12-8-33, 13-8-8.3, 13-8-5.3 and 13-8-5 may occur as a result of additional access to timber stands on private lands associated with the new road construction. The majority of the haul route is on well maintained roads. The expeditious use of sediment traps and seeding ditchlines will further minimize the amount of sediment entering the stream channel and will minimize effects to resident fish species.

The majority of the haul route is above anadromy and is highly unlikely to affect EFH. Assuming the majority of logs exits via Sugar Loaf Road (#12-8-9), minimal impacts to EFH habitat will be anticipated. Hauling via the #13-8-8.3 Rd to Fall Creek Road may affect EFH in Bear Creek and portions of Fall Creek. Impacts to EFH will need to be assessed for site level impacts and proper mitigations implemented to reduce impacts (see Plum Cr. ROW Fisheries Memo, Snedaker, June 2007).

Upper limits of resident fish use is unknown in Township 12 South, Range 8 West, Section 32; however, at least two fish bearing stream crossings will be affected during hauling to Sugar Loaf Road. Short term site level impacts to aquatic habitat may occur. Some individual fish may move away from elevated turbidity; however, considering the resilience of cutthroat they will be expected to quickly recolonize accessible habitat following cessation of disturbance.

### ***Fuels:***

#### **Affected Environment**

The proposed road construction area is presently occupied by fairly continuous stands of approximately 30 to 50 year-old Douglas fir timber with minor amounts of western hemlock and hardwood trees. Undergrowth in the project area is a light to moderate growth of: salal, vine maple, sword fern, and red and blue huckleberry.

#### **Environmental Effects**

The slash created from clearing the new road construction will be scattered. Fuel loading, risk of a fire start and resistance to control will increase at the site as a result of the proposed action. Risk of a fire start in the untreated slash will be greatest during the first season following cutting, the period when needles dry out but remain attached. These highly flammable "red needles" generally fall off within one year and risk of a fire start greatly diminishes. In approximately 15 years, untreated slash will generally decompose to the point where it no longer contributes substantially to increased fire risk or resistance to control.

*Aquatic Conservation Strategy Review:* Table 3 shows the project's effect on the 4 components of the Aquatic Conservation Strategy (1/ Riparian Reserves, 2/ Key Watersheds, 3/ Watershed Analysis and 4/ Watershed Restoration).

<i>Table 3: Aquatic Conservation Strategy Review Summary (RMP pages 5-7)</i>		
<i>Components</i>	<i>Effect</i>	<i>Remarks /References</i>
Riparian Reserves	None	The proposed action entails 200' of road construction on BLM lands outside riparian reserves. The proposed action will permit the use of existing BLM roads located within the Riparian Reserve land use allocation.
Key Watershed	None	The North Fork Alsea River and Lower Alsea River are not key watersheds
Watershed Analysis	None	Lower Alsea Watershed Analysis, 1999, and North Fork Alsea River, 1996
Watershed Restoration	None	Although the proposed action is not a component of the resource area's watershed restoration program, it will not have an adverse effect on restoration efforts.

## **Aquatic Conservation Strategy Objectives**

### **Documentation of the Projects' Consistency with the Nine Aquatic Conservation Strategy Objectives**

Table 4 describes the project's consistency with the Aquatic Conservation Strategy Objectives.

**Table 4: Projects' Consistency with the Nine Aquatic Conservation Strategy Objectives**

Aquatic Conservation Strategy Objectives (ACSOs)	Project 1 - Alternative 1 (EA section 2.4)
1. Maintain and restore the distribution, diversity, and complexity of watershed and landscape-scale features.	Meets the attainment of ACSO 1. New road construction will occur within a 20 year old stand of timber on a ridgetop location and outside Riparian Reserves.
2. Maintain and restore spatial and temporal connectivity within and between watersheds.	Meets the attainment of ACSO 2. Construction of approximately 200 feet of new road construction outside Riparian Reserves and use of existing roads will not affect riparian habitat.
3. Maintain and restore the physical integrity of the aquatic system, including shorelines, banks, and bottom configurations.	Meets the attainment of ACSO 3. Construction of approximately 200 feet of ridgetop road and use of existing roads will not adversely affect the physical integrity of the aquatic system.
4. Maintain and restore water quality necessary to support healthy riparian, aquatic, and wetland ecosystems.	Meets the attainment of ACSO 4. No measurable effects to water quality will be anticipated from the proposed action. Road construction within a ridgetop location and use of existing roads with the implementation of Best Management Practices will minimize adverse affects to water quality. No activities will take place directly in or adjacent to stream channels.
5. Maintain and restore the sediment regime under which aquatic ecosystems evolved.	Meets the attainment of ACSO 5. The proposed project is located on a stable ridgetop location. Subsequently the risk of mass soil movement/landslide is extremely remote. Project design features will minimize any potential sediment from



Aquatic Conservation Strategy Objectives (ACSOs)	Project 1 - Alternative 1 (EA section 2.4)
	road-related activities from reaching water bodies.
6. Maintain and restore in-stream flows sufficient to create and sustain riparian, aquatic, and wetland habitats and to retain patterns of sediment, nutrient, and wood routing.	Meets the attainment of ACSO 6. The proposed action will not alter instream flows. The proposed road construction and road use will affect only 0.00012% of the forest cover in the Upper Alsea River watershed – the minute amount of proposed road construction will not substantially affect forest canopy at the 5 <sup>th</sup> field watershed level and is highly unlikely to affect fish.
7. Maintain and restore the timing, variability, and duration of floodplain inundation and water table elevation in meadows and wetlands.	Meets the attainment of ACSO 7. Road construction on ridgetop location and use of existing roads will not affect groundwater levels and floodplain inundation rates.
8. Maintain and restore the species composition and structural diversity of plant communities in riparian areas and wetlands.	Meets the attainment of ACSO 8. Road construction within a 20 year old stand of timber on a ridgetop location and outside Riparian Reserves will not affect structural diversity.
9. Maintain and restore habitat to support well-distributed populations of native plant, invertebrate and vertebrate riparian-dependent species.	Meets the attainment of ACSO 9. Riparian dependent species will not be affected by road construction within a ridgetop road location.

### Interdisciplinary Team:

**Table 4: Interdisciplinary Team Review**

Affected Resource	Specialist	Initial	Date
Botany/Vegetation	Ron Exeter	RE	June 6, 2007
Cultural Resources	Dave Calver	DC	6/6/07
Fire Hazard/Risk	Tom Tomczyk	TT	6/6/07
Fisheries	Scott Snedaker	SS	6/6/07
Hydrology/Water Quality/Soils	Patrick Hawe	DM for PH	6/6/07
Recreation, Visual and Rural Interface Resources	Traci Meredith	TMM	6/6/07
Wildlife	Scott Hopkins	SH	6/6/07

EA Prepared By:

*St B. Lys*

6/6/07

Date:

EA Reviewed By:

*Mary J. Hunsicker*  
NEPA / Plans

Date:

6/6/07

## FINDING OF NO SIGNIFICANT IMPACT and DECISION RECORD

Based upon my review of this EA (Environmental Assessment Number OR080-07-10), I have determined that the proposed action is not a major federal action and will not significantly affect the quality of the human environment, individually or cumulatively with other actions in the general area. No environmental effects meet the definition of significance in context or intensity as defined in 40 CFR 1508.27.

There are no significant impacts which have not been adequately analyzed, or any significant impacts beyond those already analyzed, in the *Salem District Proposed Resource Management Plan/Final Environmental Impact Statement*, September 1994 (RMP/FEIS) to which this environmental assessment is tiered. Therefore, supplemental or additional information to the analysis in the RMP/FEIS in the form of a new environmental impact statement is not needed.

**Right to Appeal:** This decision may be appealed to the Interior Board of Land Appeals in accordance with the regulations contained in 43 Code of Federal Regulations (CFR), Part 4 and the attached Form 1842-1.

**If you appeal:** A public notice for this decision is scheduled to appear in the *Gazette Times* newspaper on June 11, 2007. Within 15 days of this notification, a *Notice of Appeal* must be filed in writing to the office which issued this decision – Trish Wilson, Marys Peak Field Manager, Bureau of Land Management, 1717 Fabry Road SE, Salem, OR, 97306 (43 CFR 4.411 and 4.413). A copy of the *Notice of Appeal* must also be sent to the BLM Regional Solicitor, Pacific Northwest Region, 500 NE Multnomah St. Suite 607, Portland, OR 97232.

The decision becomes effective upon the expiration of the time allowed for filing an appeal unless a petition for a stay is timely filed together with a *Notice of Appeal* (43 CFR 4.21). If you wish to file a petition for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Interior Board of Land Appeals, the petition for a stay must accompany your *Notice Of Appeal* (43 CFR 4.21 or 43 CFR 2804.1). A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the *Notice of Appeal* and Petition for a Stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

**Standards for Obtaining a Stay:** Except as other provided by law or other pertinent regulations, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

- (1) The relative harm to the parties if the stay is granted or denied,
- (2) The likelihood of the appellant's success on the merits,
- (3) The likelihood of immediate and irreparable harm if the stay is not granted, and
- (4) Whether the public interest favors granting the stay.

**Statement of Reasons:** Within 30 days after filing the *Notice of Appeal*, File a complete statement of the reasons why you are appealing. This must be filed with the United States Department of the Interior, Office of Hearings and Appeals, Interior Board of Land Appeals, 801 N. Quincy Street, MS 300-QC, Arlington, Virginia 22203. If you fully stated your reasons for appealing when filing the Notice of Appeal, no additional statement is necessary (43 CFR 4.412 and 4.413).

**Implementation Date:** If no appeals are filed, this decision will become effective and be implemented 15 days after the public notice of this Decision Record appears in the *Gazette Times* newspaper.

**Contact Person:** For additional information concerning this decision or the appeal process, contact Gary Humbard at (503) 315-5981, Marys Peak Resource Area, Salem District, 1717 Fabry Road, Salem, Oregon 97306.

**Authorized Official:** Trish Wilson  
Trish Wilson, Field Manager  
Marys Peak Resource Area

Date: 6/7/07